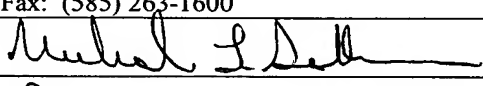


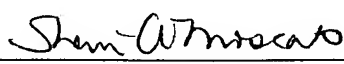


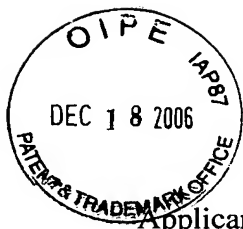
1638

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/524,750	
	Filing Date	August 13, 2003	
	First Named Inventor	Martin et al.	
	Group Art Unit	1638	
	Examiner Name	Medina A. Ibrahim	
Total Number of Pages in This Submission	2	Attorney Docket Number	3213/104

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply (\$_____) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request (\$_____) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement (\$_____) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Missing Parts/ Incomplete Application (\$_____) <input type="checkbox"/> A copy of the Notice to File Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition (\$_____) <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer (\$_____) <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (\$_____) (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input checked="" type="checkbox"/> A self-addressed, prepaid postcard for acknowledging receipt <input type="checkbox"/> Check in the amount of \$_____ <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Response to Restriction Requirement
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 14-1138 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Michael L. Goldman, Esq. Nixon Peabody LLP Clinton Square, P.O. Box 31051 Rochester, New York 14603-1051 Telephone: (585) 263-1304 Fax: (585) 263-1600
Signature	 Registration No. 30,727
Date	December 15, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
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12/15/2006 Date	 Signature Sherri A. Moscato Typed or printed name



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	:	Martin et al.)	Examiner:
)	Medina A. Ibrahim
Serial No.	:	10/524,750)	
Cnfrm. No.	:	6908)	Art Unit:
)	1638
Filed	:	August 13, 2003)	
For	:	BACTERIAL EFFECTOR PROTEINS WHICH)	
		INHIBIT PROGRAMMED CELL DEATH)	

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

In response to the November 16, 2006, written restriction requirement, applicants hereby elect Group I (i.e. claims 1-6 and 103-109) with traverse.

Applicants, however, submit that the invention groups identified in the outstanding office action are closely related and, therefore, do not require separate search or consideration. Accordingly, it is respectfully requested that the restriction requirement be withdrawn and that all claims be examined together.

Respectfully submitted,

Date: December 15, 2006

Michael L. Goldman
Registration No. 30,727

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603-1051
Telephone: (585) 263-1304
Facsimile: (585) 263-1600

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12/15/2006
Date

Sherri A. Moscato
Signature
Sherri A. Moscato
Typed or printed name